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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 CLYDE McKNIGHT,

11 Defendant.

CR18-16 TSZ

ORDER

12 THIS MATTER comes before the Court on defendant's motion, docket no. 510, to
13 substitute counsel or proceed pro se, as amended by the notice of conditional appearance
14 filed by attorney Michael Austin Stewart on October 12, 2020, docket no. 613. Having
15 considered the motion, the supplemental briefs filed by current counsel Gilbert Levy and
16 prospective counsel for defendant, docket nos. 615 and 616, the memorandum filed by
17 the Government, docket no. 617, and the oral arguments and representations made during
18 the hearing held on October 23, 2020, the Court ORDERS as follows:

19 (1) Defendant's motion, docket no. 510, is GRANTED as follows. Gilbert
20 Levy and Emily Beschen are GRANTED leave to withdraw as counsel of record for
21 defendant, effective immediately. Michael Austin Stewart is substituted as counsel of
22 record for defendant. The Clerk shall update the docket accordingly.
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1 (2) Trial is SET for Tuesday, February 16, 2021, to commence at 9:00 a.m.

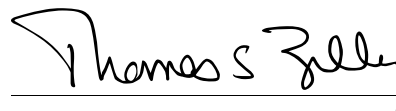
2 (3) The period of time until February 16, 2021, is excluded under the Speedy
3 Trial Act on grounds that the failure to continue the trial date would likely make the
4 proceeding impossible, result in a miscarriage of justice, and/or deny defense counsel the
5 reasonable time necessary for effective preparation, taking into account the exercise of
6 due diligence; see 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), & (B)(iv).

7 (4) No motions to reopen the Franks hearing and/or to reconsider the Court's
8 prior rulings in this matter may be made by defendant. Absent currently unforeseeable
9 circumstances, the Court will not permit any further continuance of the trial date. Any
10 dissatisfaction that defendant might have in the future with his new attorney, any
11 workload or similar impediments to Mr. Stewart's ability to meet the deadlines in this
12 case, and any disputes concerning Mr. Stewart's compensation shall not constitute
13 grounds for continuing trial. Any new motions shall be filed by January 4, 2021, and
14 noted for January 15, 2021.

15 IT IS SO ORDERED.

16 The Clerk is directed to send a copy of this Order to all counsel of record.

17 Dated this 23rd day of October, 2020.

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20 Thomas S. Zilly
21 United States District Judge
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